

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

V.

CITIGROUP, INC., CITICORP, and
CITIBANK, N.A.,

Defendants.

14 Civ. 4638 (AKH)

ORAL ARGUMENT REQUESTED

**DECLARATION OF OMAR A. KHAN IN SUPPORT OF DEFENDANTS
CITIGROUP, INC.'S, CITICORP'S, AND CITIBANK, N.A.'S
RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Omar A. Khan, declare as follows:

1. I make the following declaration based on my personal knowledge and of my own free will. I am over 21 years of age and have never been convicted of a felony. I am a counsel in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP and am admitted to practice in New York. I represent Defendants Citigroup, Inc., Citicorp, and Citibank, N.A.

2. Attached hereto as Exhibit OO is a true and correct excerpt of The Computer Glossary: The Complete Illustrated Dictionary (7th ed. 1995).

3. Attached hereto as Exhibit PP is a true and correct excerpt of the transcript from the March 5, 2014 claim construction hearing in *Intellectual Ventures II LLC v. JP Morgan Chase & Co.*, No. 1:13-cv-03777 (S.D.N.Y.), Dkt. No. 78.

4. Attached hereto as Exhibit QQ is a true and correct excerpt from The American Heritage College Dictionary (3d ed. 1993).
5. Attached hereto as Exhibit RR is a true and correct excerpt from Webster's Third New International Dictionary (1993).
6. Attached hereto as Exhibit SS is a true and correct excerpt from The Pocket Oxford Dictionary (rev. 8th ed. 1996).
7. Attached hereto as Exhibit TT is a true and correct copy of the transcript from the October 3, 2013 hearing in *Intellectual Ventures II, LLC v. JP Morgan Chase & Co.*, No. 1:13-cv-03777 (S.D.N.Y.), Dkt. No. 48.
8. Attached hereto as Exhibit UU is a true and correct excerpt from The Oxford Encyclopedic English Dictionary (2d ed. 1995).
9. Attached hereto as Exhibit VV is a true and correct copy of Giancarlo Fortino & Domenico Grimaldi, *Multicast Control of Mobile Measurement Systems*, 47 IEEE Transactions on Instrumentation & Measurement 1149 (1998).
10. Attached hereto as Exhibit WW is a true and correct copy of Andrzej Bieszczad et al., *Mobile Agents for Network Management*, 1 IEEE Comm. Surv., No. 1, 1998, at 2.
11. Attached hereto as Exhibit XX is a true and correct excerpt of Plaintiffs' Patent Owner Preliminary Response, filed January 29, 2015, in *inter partes* review proceeding No. 2015-00089.
12. Attached hereto as Exhibit YY is a true and correct copy of an excerpt from the prosecution history of U.S. Patent No. 6,819,271.

13. Attached hereto as Exhibit ZZ is a true and correct copy of U.S. Patent No. 6,208,273.

14. Attached hereto as Exhibit AAA is a true and correct copy of an excerpt from the prosecution history of U.S. Patent No. 6,885,319.

15. Attached hereto as Exhibit BBB is a true and correct copy of U.S. Patent No. 5,455,945.

16. Attached hereto as Exhibit CCC is a true and correct copy of Ivan Poupyrev et al., *Ambient Touch: Designing Tactile Interfaces for Handheld Devices*, UIST Proc. 15th Ann. ACM Symp. on User Interface Software & Tech. 51 (2002).

17. Attached hereto as Exhibit DDD is a true and correct copy of Erica Newcomb et al., *Mobile Computing in the Retail Arena*, Tech. Rep. GIT-GVU-03-02 (Jan. 2003).

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: March 6, 2015
New York, New York

/s/ Omar A. Khan
Omar A. Khan